

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDUARDO GARCIA,

Defendant.

Case No. 2:13-cr-00406-LDG (CWH)

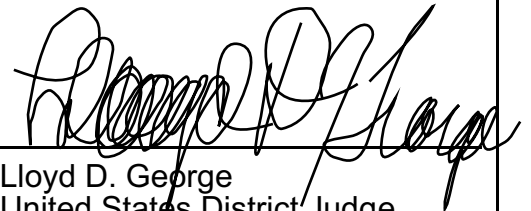
ORDER

The defendant, Eduardo Garcia, has moved for a reduction of sentence (#34) pursuant to 18 U.S.C. §3852(c)(2). A review of the record establishes that, at the defendant's sentencing, the Court calculated the defendant's advisory guideline range as **121 - 151 months**. The Court subsequently departed downward from this range, and imposed a sentence of **70 months** of incarceration. The Court has determined that the amended advisory guideline range that would have been applicable to the defendant pursuant to Amendment 782, if that amended guideline had been in effect at the time of the original sentencing, is **84 - 105 months**. As the defendant's existing sentence is less than the minimum sentence under the amended advisory guideline range, he is not eligible for a further reduction of his sentence. See U.S.S.G. §1B1.10(b)(2)(A).

Accordingly,

1 THE COURT **ORDERS** that the defendant's Motion for Reduction of Sentence
2 Pursuant to 18 U.S.C. §3582(c)(2) (#34) is DENIED.

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4 DATED this 13 day of October, 2015.

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7 Lloyd D. George
8 United States District Judge
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